# CONNECTICUT LAW REVIEW THE UNIVERSITY OF CONNECTICUT SCHOOL OF LAW HARTFORD, CONNECTICUT COPYRIGHT 1987, THE UNIVERSITY OF CONNECTICUT

#### SUBJECT INDEX

PAGE
ADMINISTRATIVE LAW
Bonus and Penalty Plans to Improve Public Utility Performance:  Lessons From the Cases [L]
ARBITRATION
The Impact of the Federal Arbitration Act and the McCarran- Ferguson Act on Uninsured Motorist Arbitration [L]
International Arbitration and the Comity of Error: Mitsubishi Motors  Corp. v. Soler Chrysler-Plymouth, Inc. [N]
BANKRUPTCY
Criminal Restitution and Bankruptcy Law in the Federal System [L]. 89
Statutory Protection for Union Contracts in Chapter 11 Reorganization Proceedings: Wheeling-Pittsburgh Steel Corp. v. United Steelworkers [N]
CHOICE-OF-LAW
The Choice-Of-Law Dilemma in Mass Tort Litigation: Kicking Around Erie, Klaxon, and Van Dusen [L]
Choice of Law and the Supreme Court: Phillips Petroleum Co. v.  Shutts [N]
Personal Jurisdiction in a Commercial Context: The Effect of Burger King Corp. v. Rudzewicz [N]
CIVIL PROCEDURE
The Choice-Of-Law Dilemma in Mass Tort Litigation: Kicking Around Erie, Klaxon, and Van Dusen [L]
Choice of Law and the Supreme Court: Phillips Petroleum Co. v.  Shutts [N]
Personal Jurisdiction in a Commercial Context: The Effect of Burger King Corp. v. Rudzewicz [N]
COMMERCIAL LAW
Personal Jurisdiction in a Commercial Context: The Effect of Burger King Corp. v. Rudzewicz [N]

## CONSTITUTIONAL LAW The Past and the Future of Constitutional Torts: From Statutory Interpretation to Common Law Rules [L]..... Criminal Restitution and Bankruptcy Law in the Federal System [L]. 89 History, Homosexuals, and Homophobia: The Judicial Intolerance of Bowers v. Hardwick [C]..... Legal Rights of Gifted Students: Special Education Law at the Starting from Scratch: A Revisionist View of 42 U.S.C. § 1985(3) Opening the Doors to Government Proceedings: The Citizen as Critic Constitutional Limits on the Struggle Against International Terrorism: Limits on Enhanced Sentences Following Appeal and Retrial: Has CONTRACT LAW Imposition of Punitive Damages for an Insurer's Tortious Breach of Contract [C]..... Statutory Protection for Union Contracts in Chapter 11 Reorganization Proceedings: Wheeling-Pittsburg Steel Corp. v. United Steelworkers [N] International Arbitration and the Comity of Error: Mitsubishi Motors Suggestions for the New Collective-Bargaining Agreement in Professional Basketball: The Legacy of the Albert King Case [N] .. 1001 CRIMINAL LAW Criminal Restitution and Bankruptcy Law in the Federal System [L]. 89 Terrorism and the Problems of an International Criminal Law [L] ... 799 Limits on Enhanced Sentences Following Appeal and Retrial: Has DAMAGES The Past and the Future of Constitutional Torts: From Statutory Imposition of Punitive Damages for an Insurer's Tortious Breach of Negligent Infliction of Prenatal Death: New York's Unrecompensed

ENVIRONMENTAL LAW
The Dimensions of a Private Right of Action Under Superfund [L] 193
Citizen-Suit Provisions Under the Federal Water Pollution Control
Act: Are Remedies Available for Past Violations? [C] 589
FAMILY LAW
Harmony or Dissonance? Dzenutis v. Dzenutis and the Policy
Justifications for Parental Immunity in Connecticut [N]
EDUCATION
Legal Rights of Gifted Students: Special Education Law at the
"Other End" [C]
HOMOSEXUALS
History, Homosexuals, and Homophobia: The Judicial Intolerance of
Bowers v. Hardwick [C]
INSURANCE LAW
The Impact of the Federal Arbitration Act and the McCarran-
Ferguson Act on Uninsured Motorist Arbitration [L]
Competition as a Regulatory Mechanism in Insurance [L] 287
Distributing Risk: Insurance, Legal Theory, and Public Policy [Book
Review]
Imposition of Punitive Damages for an Insurer's Tortious Breach of
Contract [C] 329
INTERNATIONAL LAW
International Arbitration and the Comity of Error: Mitsubishi Motors
Corp. v. Soler Chrysler-Plymouth, Inc. [N]
An Introduction to and Commentary on Terrorism and the Law [L] . 697
Terrorism and the Problems of an International Criminal Law [L] 799
Constitutional Limits on the Struggle Against International Terrorism:
Revisiting the Rights of Overseas Aliens [L]
Taking the Terror Out of Political Terrorism: The Supplementary
Treaty of Extradition Between the United States and the United
Kingdom [L]
Jurisdiction as Legal Protection Against Terrorism [L]
A Legal Theory of International Terrorism [L]
JURISPRUDENCE
Coping With Uncertainty in the Law 1
LABOR LAW
Statutory Protection for Union Contracts in Chapter 11
Reorganization Proceedings: Wheeling-Pittsburgh Steel Corp. v.
United Steelworkers [N]401

## LEAD ARTICLES - By Title

TITLE	AUTHOR	PAGE
Bonus and Penalty Plans to Improve Public Utility Performance: Lessons From the Cases	Kurt A. Strasser	513
The Choice-Of-Law Dilemma in Mass Tort Litigation: Kicking Around Erle, Klaxon, and Van Dusen	Barbara Ann Atwood	9
Competition as a Regulatory Mechanism in Insurance	Banks McDowell	287
Constitutional Limits on the Struggle Against International Terrorism: Revisiting the Rights of Overseas Aliens	Paul B. Stephan III	831
Criminal Restitution and Bankruptcy Law in the Federal System	John P. Hennigan	89
The Dimensions of a Private Right of Action Under Superfund	Frank B. Cross	193
The Impact of the Federal Arbitration Act and the McCarran-Ferguson Act on Uninsured Motorist Arbitration	Stephen Lamson	241
An Introduction to and Commentary on Terrorism and the Law	Jordan J. Paust	691
Jurisdiction as Legal Protection Against Terrorism	Christopher L. Blakesley	895
A Legal Theory of International Terrorism	Ali Khan	94
The Past and the Future of Constitutional Torts: From Statutory Interpretation to Common Law Rules	Michael Wells	53
Starting From Scratch: A Revisionist View of 42 U.S.C. § 1985(3) and Class-Based Animus	Janis L. McDonald	47
Taking the Terror Out of Political Terrorism: The Supplementary Treaty of Extradition Between the United States and the United Kingdom	Steven Lubet	86.
Terrorism: An International Law Offense	Daniel G. Partan	75
Terrorism and the Problems of an International Criminal Law	Edward M. Wise	79
COMMENTS —	By Title	
Citizen-Suit Provision Under the Federal Water Poll	ution Control Act: Are Remedies	

Citizen-Suit Provision Under the Federal Water Pollution Control Act: Are Remedies	
Available for Past Violations?	589
History, Homosexuals, and Homophobia: The Judicial Intolerance of Bowers v. Hardwick.	129
Imposition of Punitive Damages for an Insurer's Tortious Breach of Contract	32
Legal Rights of Gifted Students: Special Education Law at the "Other End"	14
Limits on Enhanced Sentences Following Appeal and Retrial: Has Pearce Been Pierced?	97

## NOTES - By Title

Compensating Mental Stress Under Workers' Compensation: Zipoli v. Town of Watertown Harmony or Dissonance? Dzenutis v. Dzenutis and the Policy Justifications for Parental International Arbitration and the Comity of Error: Mitsubishi Motors Corp. v. Soler Negligent Infliction of Prenatal Death: New York's Unrecompensed Injury After Tebbutt v. Virostek 365 Personal Jurisdiction in a Commercial Context: The Effect of Burger King Corp. v. Statutory Protection for Union Contracts in Chapter 11 Reorganization Proceedings: Suggestions for the New Collective-Bargaining Agreement in Professional Basketball: The 

## LEAD ARTICLES - By Author

AUTHOR TITLE PAGE Barbara Ann Atwood The Choice-of-Law Dilemma in Mass Tort Litigation: Kicking Around Erie, Klaxon, and Van Dusen .... Christopher L. Blakesley Jurisdiction as Legal Protection Against Terrorism 895 Frank B. Cross The Dimensions of a Private Right of Action Under Superfund ..... 193 John P. Hennigan Criminal Restitution and Bankruptcy Law in the Federal System ..... 89 Ali Khan 945 Stephen Lamson The Impact of the Federal Arbitration Act and the McCarran-Ferguson Act on Uninsured Motorist Arbitration ..... 241 Taking the Terror Out of Political Terrorism: The Steven Lubet Supplementary Treaty of Extradition Between the 863 Janis L. McDonald Starting From Scratch: A Revisionist View of 42 U.S.C. § 1985(3) and Class-Based Animus..... 471 Banks McDowell Competition as a Regulatory Mechanism in Insurance 287 Daniel G. Partan Terrorism: An International Law Offense ..... 751 Jordan J. Paust An Introduction to and Commentary on Terrorism and the Law ..... 697 Paul B. Stephan III Constitutional Limits on the Struggle Against International Terrorism: Revisiting the Rights of Overseas Aliens 831 Kurt A. Strasser Bonus and Penalty Plans to Improve Public Utility Performance: Lessons From the Cases ..... 513

1987]	INDEX	ix
Michael Wells	The Past and the Future of Constitutional Torts: From Statutory Interpretation to Common Law	
	Rules	53
Edward M. Wise	Terrorism and the Problems of an International	200
	Criminal Law	744